

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH T. EVANS,)	
)	
Plaintiff,)	Case No. C05-133-MJP-JPD
)	
v.)	
)	ORDER GRANTING
WILLIAM HAYES, et al.,)	DEFENDANTS' MOTION
)	FOR EXTENSION OF TIME
Defendants.)	


On August 5, 2005, defendants filed a motion for extension of time, Dkt. Nos. 33, 34, in response to plaintiff's motion for summary judgment. Defendants argue that they are entitled to an extension of time because of a recent change in attorneys handling this matter and because of counsel's heavy case load. Having carefully reviewed defendants' motion, supporting declaration, and the record, the Court ORDERS as follows:

(1) Defendants' motion for extension of time, Dkt. Nos. 33, 34, is GRANTED. Under Federal Rule of Procedure 6(b)(2), parties may be entitled to an extension of time "where the failure to act was the result of excusable neglect[.]" Fed. R. Civ. P. 6(b)(2). Here, defendants have shown that the abrupt change in attorneys handling this case has resulted in confusion regarding the noting date of plaintiff's motion. Dkt. No. 33. Plaintiff's motion for summary judgment, Dkt. No. 27, shall therefore be re-noted for August 19, 2005.

ORDER GRANTING
DEFENDANTS' MOTION
FOR EXTENSION OF TIME
PAGE -1

01 (2) The Clerk is directed to send a copy of the Order to plaintiff, to counsel for the
02 defendants and to the Honorable Marsha J. Pechman.

03 DATED this 8th day of August, 2005.

04 
05 JAMES P. DONOHUE
06 United States Magistrate Judge
07
08
09
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26